



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE December 16, 2005	CONTACT/PHONE Holly Phipps 781-1162	APPLICANT Mr. and Mrs. Baumgartner	FILE NO. DRC2005-00024
EFFECTIVE DATE December 16, 2005			
SUBJECT Request by Mr. and Mrs. Baumgartner for a Minor Use Permit to allow for a greater than 1,000 square foot garage/workshop (3,840 square foot). The project will result in the disturbance of approximately 3,500 square feet of ground disturbance of a 5 acre parcel. The proposed project is within the Residential Rural land use category and is located at 1540 Barley Grain Road, approximately 1.5 miles south of Paso Robles. The site is in the Salinas River planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2005-00024 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption was issued on November 2, 2005.			
LAND USE CATEGORY Residential Rural	COMBINING DESIGNATION NA	ASSESSOR PARCEL NUMBER 020-461-031	SUPERVISOR DISTRICT(S) 1
PLANNING AREA STANDARDS: 22.104.040 Limitation on uses Does the project meet applicable Planning Area Standards: Yes - see discussion			
LAND USE ORDINANCE STANDARDS: 22.30.410C Residential Accessory Uses 22.10.140 Setbacks. 22.10.090 Height Measurements 22.10.060 Exterior Lighting 22.10.120 Noise Standards Does the project conform to the Land Use Ordinance Standards: Yes - see discussion			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on December 16, 2005, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
EXISTING USES: Single-family residence with garage, barn with residence on top, well house, horse arena			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Rural/residential uses South: Residential Rural / residential uses East: Residential Rural / residential uses West: Residential Rural / residential uses			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, CDF, City of Paso Robles and Robert L. Graham representative from Architectural Control Committee for Tract 969.	
TOPOGRAPHY: Level to gently rolling	VEGETATION: Grasses, landscaping
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: November 01, 2005

DISCUSSION

PROJECT DESCRIPTION: A request by Mr. and Mrs. Baumgartner for a Minor Use Permit to allow for a greater than 1,000 square foot garage/workshop (3,840 square foot). The project will result in the disturbance of approximately 3,500 square feet of ground disturbance of a 5 acre parcel.

PLANNING AREA STANDARDS: The project as conditioned complies with the ordinance requirements. Land Use Ordinance Section 22.104.040 land uses shall be limited to the following requirement: *the project shall be in compliance with the land use permit requirements of 22.06.030.* This approval is conditioned for conformance with the land use permit requirements.

LAND USE ORDINANCE STANDARDS:

22.30.410C Residential Accessory Uses - LUO Title 22 Article 4 allows detached garages that are greater than 1,000 square foot per dwelling to be authorized by a Minor Use Permit. This approval is conditioned for conformance with the residential accessory uses.

22.10.060 Exterior Lighting – LUO Title 22 Article 3 established the following exterior light requirements: outdoor lights shall be used for illumination only and not used for advertising display, light sources shall be designed and adjusted to direct light away from any road or street, and away from any dwelling outside the ownership of the applicant, light sources to be shielded for ground illuminating lights, and height of light fixtures shall not exceed the height of the tallest building on the site. This approval is conditioned for conformance with the exterior lighting requirements.

22.10.090 Height Measurements – LUO Title 22 Article 3 establishes the following building height limitation: 35 feet maximum. This approval is conditioned for conformance with the height limitation requirement.

22.10.140 Setbacks – LUO Title 22 Article 3 establishes the following minimum setbacks for this structure: 25 feet from front property line, 10 feet from right property line, 10 feet from left property line and 25 feet from back property line. This approval is conditioned for conformance with all setback requirements.

22.10.120 Noise Standards – LUO Title 22 Article 3 establishes the following noise requirements: No person shall create any noise or allow the creation of any noise to exceed the noise level standards. This approval is conditioned for conformance with all noise requirements.

COMMUNITY ADVISORY GROUP COMMENTS:

AGENCY REVIEW:

Public Works- Recommend approval, no concerns

CDF – Issued fire letter dated August 26, 2005

City of Paso Robles – No comments

Robert L. Graham representative from Architectural Control Committee for Tract 969 –
Recommends approval

LEGAL LOT STATUS:

The one lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Holly Phipps and reviewed by Kami Griffin.

EXHIBIT A - FINDINGS

CEQA Exemption

- A. The project qualifies for a Categorical Exemption (Class 3) pursuant to CEQA Guidelines Section 15303 because the physical condition of the environment which exists within the project area at the time of the permit, does not lend itself to any sensitive environments. A site visit determined that no environmental resources will be significantly impacted by grading/construction activities as a result of this project. Therefore, it can be seen with certainty that there is no possibility that this project may have a significant effect on the environment.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the building of an detached garage greater than 1000 square feet does not generate activity that presents a potential threat to the surrounding property and buildings.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the proposed detached garage will not conflict with surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the proposed project will not impact existing and proposed roads within the planning area.

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes
 - a. a detached garage/workshop greater than 1,000 square feet in size (3,840 square foot). The project will result in the disturbance of approximately 3,500 square feet of ground disturbance of a 5 acre parcel.
 - b. maximum height is 35 feet from average natural grade.

Conditions required to be completed at the time of application for construction permits

Site Development

2. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.
3. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Fire Safety

4. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated August 26, 2005.

Conditions to be completed prior to occupancy or final building inspection/establishment of the use

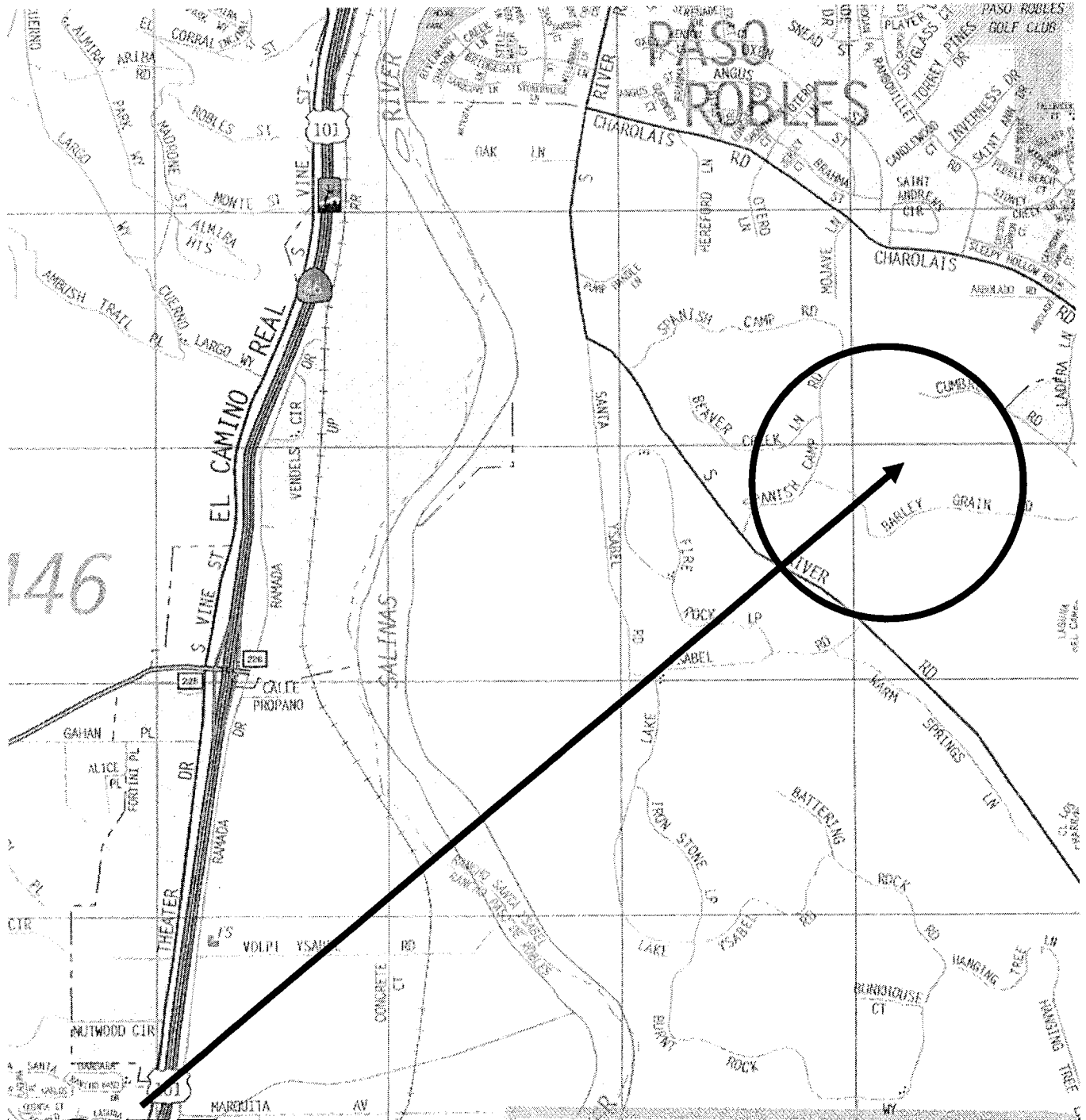
5. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
6. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

On-going conditions of approval (valid for the life of the project)

7. This approval authorizes use of the structure for personal/hobby use only. No residential occupancy or commercial use of this structure shall be established without first obtaining all applicable land use approvals, permits and inspection clearances and paying all applicable fees. Unauthorized use of structure shall be subject to abatement action.

Planning Department Hearing
Minor Use Permit DRC2005-00024 / Baumgartner

8. Any use of the detached garage for any commercial activity shall meet all county standards for home occupations. Any use of the structure for home occupation purposes is subject to businesses license clearance and shall meet all current County Ordinance home occupation requirements in effect at the time of said use.
9. No home occupation use is to involve on-site use of equipment requiring no more than standard household electrical current at 110 or 220 volts or that produces noise, dust, odor, or vibration detrimental to occupants of neighboring dwellings.
10. On-site storage of materials or equipment related to an off-site business is prohibited.
11. Applicant shall not create any noise, or allow the creation of any noise, on the property, which causes the exterior noise level when measured at any neighboring property line to exceed 70 decibels between the hours of 7:00 a.m. to 10:00 p.m., or 65 decibels between the hours of 10:00 p.m. to 7:00 a.m.
12. Commercial vehicles other than a standard passenger car, pickup truck or van less than 20 feet in length, shall not be stored or parked for any time longer than necessary for a pickup or delivery at the site, except for moving vans which may be parked for a single night in a residential area where the contents of a dwelling are being moved.
13. Traffic generated by construction and subsequent use of structure shall not exceed the type of vehicles or traffic volume normally generated by a home in a residential neighborhood. All parking needs shall be met off the street.
14. Structure may include a sink and a toilet , but may not include a shower or bath.
15. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
16. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.



SITE

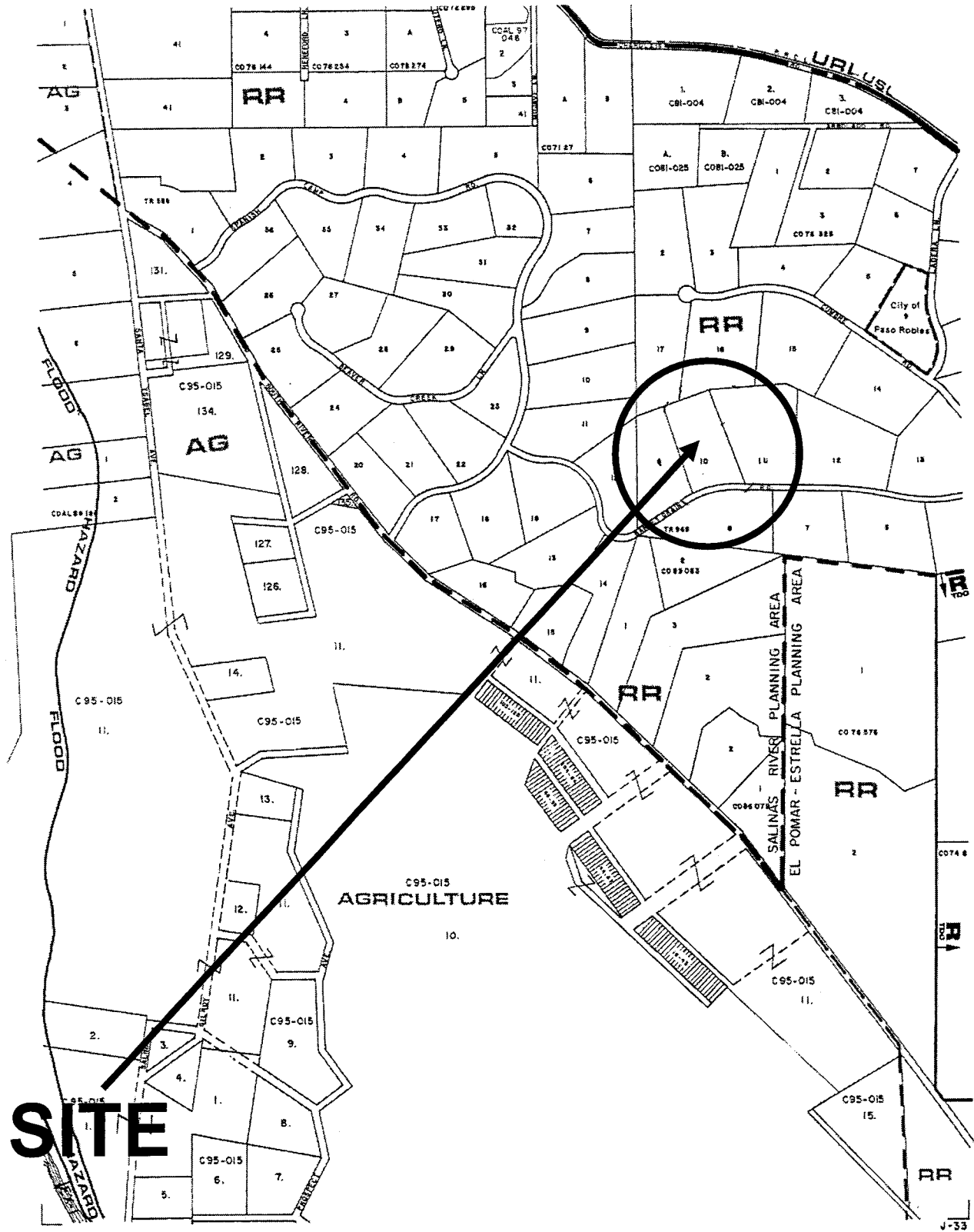
PROJECT

Minor Use Permit
Weber DRC2005-00024



EXHIBIT

Vicinity



PROJECT

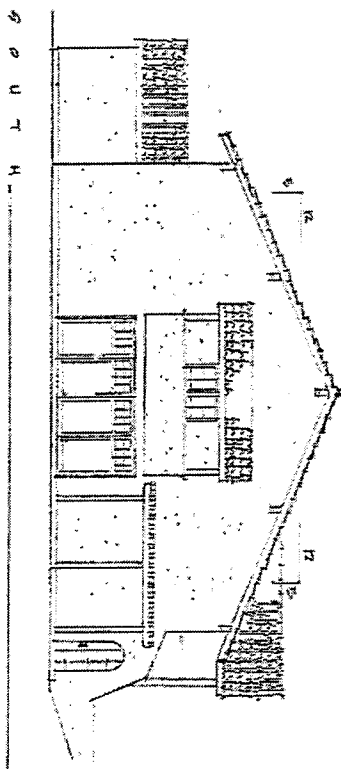
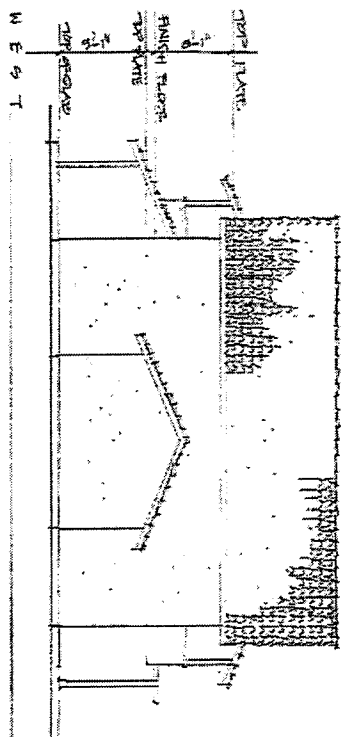
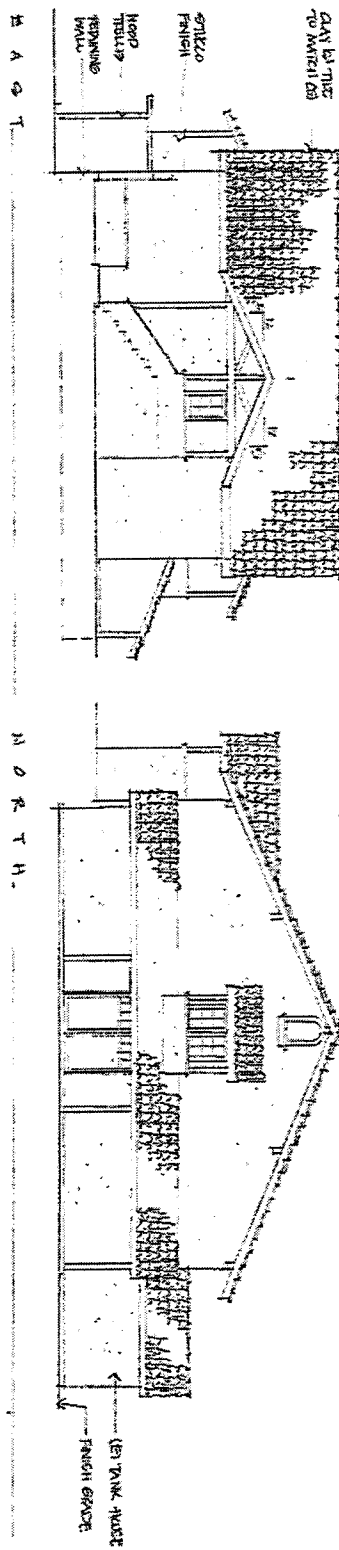
Minor Use Permit
Weber DRC2005-00024



EXHIBIT

Land Use Category





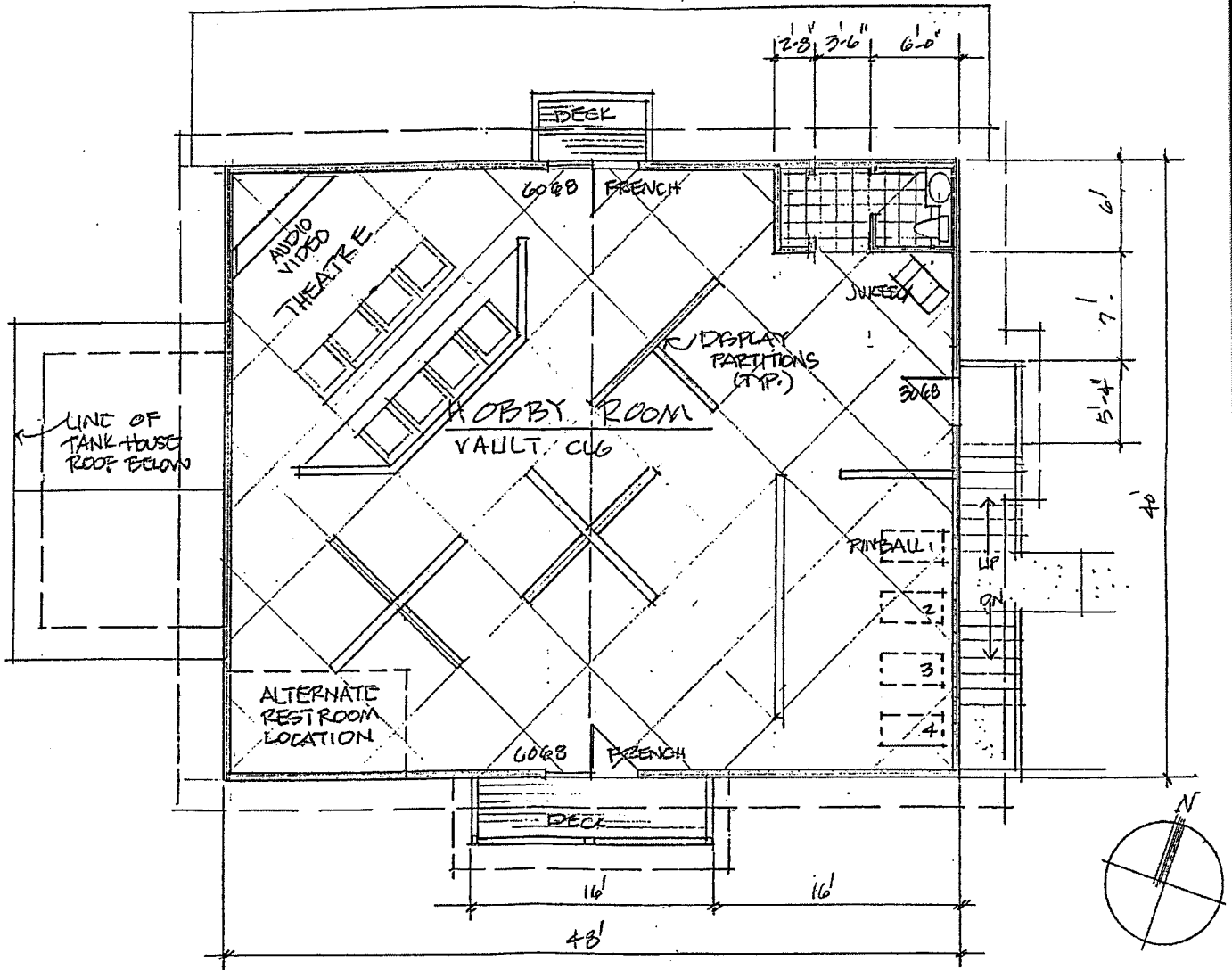
PROJECT

Minor Use Permit
Weber DRC2005-00024



EXHIBIT

Elevation



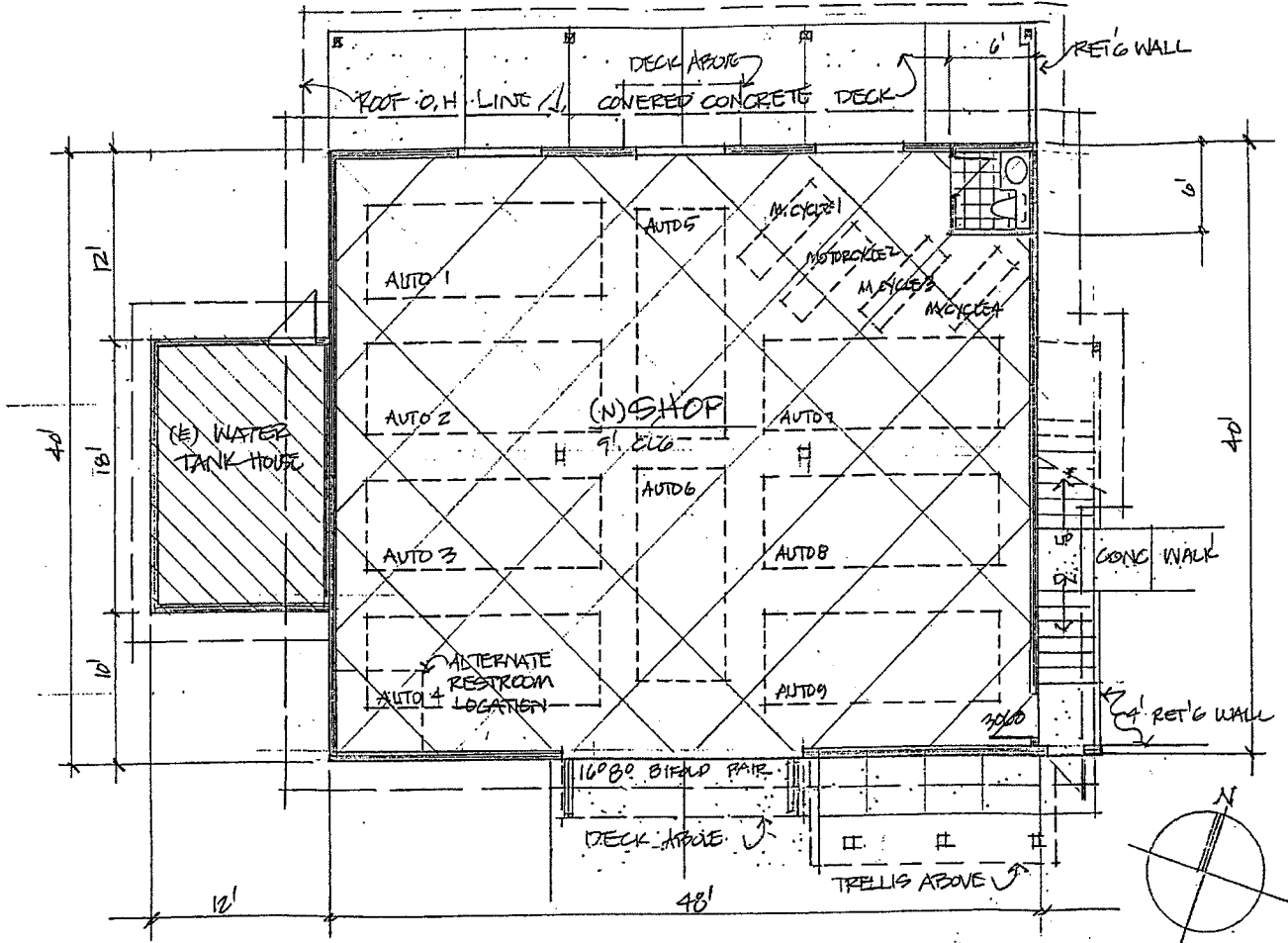
PROJECT

Minor Use Permit
Weber DRC2005-00024



EXHIBIT

Upper Floor Plan



PROJECT

Minor Use Permit
Weber DRC2005-00024



EXHIBIT

Main Floor

Ted Weber
P.O. Box 149 Paso Robles, Ca 93447

Ted,

As per our discussion the following is why I need to build this 2 story garage/hobby room.

First the garage..As I may have mention my father was a Jaguar/Mercedes automobile dealer as I was growing up and that's where I got my car collecting bug from him. I currently have 6 collectors' cars that are California Historical Vehicles (as registered with California DMV, plus 3 motorcycles and my wife's Harley Davidson..I also have collected a lot of automobilia signs,gas pumps,posters,etc including my dads old 11 foot Jaguar dealer sign..also there will be a workshop area/car lift to maintain the cars.

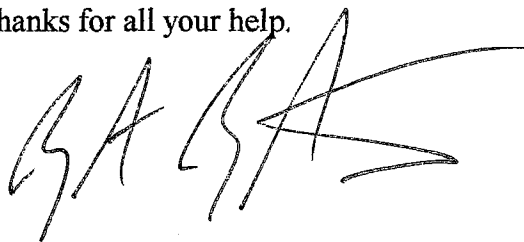
The upper floor will be for my 32 years of mementos of the music business starting out as a D.J. and retiring as the Senior Vice President of Sony Music entertainment in 2002..In this area I will be displaying over 100 gold/platinum records,52 autograph guitars,autograph drum skins (ringo) etc hundreds of classic original rock posters,movie posters and awards that I have received (billboard,hitmakers, etc) over my career. His will also be my music room for my thousands of albums,cds,videos etc...

As I have told you before much of this stuff is now at Templeton storage were I have 2 10x20 units full to the max...

If there is any more information you need from me please let me know and I will provide As best as I can.

As I can not live without my mementoes I really need to build this building (or buy a New home)

Thanks for all your help.

A handwritten signature in black ink, appearing to read 'BA BA', with a long horizontal stroke extending to the right.

Ted Weber

From: <HITBOUND@aol.com>
To: <tjweberarch@digitalputty.com>
Sent: Thursday, October 06, 2005 9:24 AM
Subject: Re: 1540 Barley Grain lane

Here we go:

Downstairs...10 cars 16x6 average.

- 5 motorcycles 7x3
- 1 tractor 4x8
- 1 farm quad. 4x7
- 1 antique gas pump
- 100 pieces of automobilia (including 10 1/2 ft Jaguar sign)
- 10x20 workshop area

upstairs

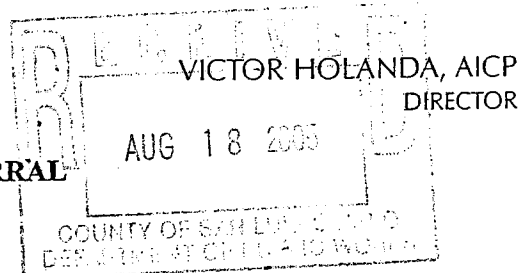
- 100 Gold Records
- 3,000 music cd's and albums
- 52 autograph guitars
- 200 music videos
- 5 collectors pinball machines
- jukebox
- 100 collectors movie/music posters
- viewing/music listing room
- 50 misc. (autograph drum skins,neon signs,candy machines,etc)

Ted, I know I can't remember everything I have in storage and collected over the years but heres the bulk of it....Thanks for all your help.



4

Holly P
**SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING**



THIS IS A NEW PROJECT REFERRAL

DATE: 8/17/05
FROM PW
FROM North Co. Team
U6
(Please direct response to the above)

BAUMGARTNER
DRC 2005-00024
Project Name and Number

Development Review Section (Phone: 788-2009) ***OR ASK THE SWITCH-BOARD FOR THE PLANNER**

PROJECT DESCRIPTION: mup - Build new 2 story, 3,840 s.f. shop.
(exceeds size for detached garage) located off Barney Grain
Rd. in Paso Robles on 5 acres. APN: 020-461-031
UUC-RR

Return this letter with your comments attached no later than: 9/1/05

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?
✓ YES
NO

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?
✓ NO (Please go on to Part III)
YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

Recommend Approval - No Concerns

22 SEPT 2005 Goodwin 5252
Date Name Phone



HP

CDF/San Luis Obispo County Fire RESIDENTIAL FIRE SAFETY PLAN

RECEIVED
AUG 26 2005
Planning & Bldg

Date: **August 26, 2005**

Project Number(s): DRC2005-00024	Name: Burt Baumgartner 1540 Barley Grain Paso Robles, CA 93446 Architect: Ted Weber P.O. Box 149 Paso Robles, CA 93447
Project Location: 1540 Barley Grain	City: Paso Robles, CA
Mailing Address: North County Team Planning/Building Department County Government Center	City/State/Zip: San Luis Obispo, CA 93408
Phone Number(s): 227-0562, 238-4711	Cross Street: Creston Road
Notes: 3,840 square foot two story shop	

The following **checked** items are required to be completed prior to final inspection of this project. When you have completed each item checked, initial and date that they are completed. When all items checked are completed please call for a fire department final inspection, **(805) 543-4244, extension #2220**. Inspections will be completed on the following Tuesday for South County areas and Thursday for North County areas. Please have your County issued permit card on site and visible.

This project is located approximately **5 to 10** minutes from the closest CDF/San Luis Obispo County Fire Station. The project **is** located in State Responsibility Area for wildland fires.

It is designated a Moderate Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following standards are required:	Owner-Agent Initials
<input checked="" type="checkbox"/> 30-foot building setback from property line required **Note: All setbacks are subject to County Planning Department approval.	
<input type="checkbox"/> A residential fire sprinkler system is required (NFPA 13D)	
<input checked="" type="checkbox"/> A water storage tank is required that gravity feeds a residential fire connection	
<input checked="" type="checkbox"/> 5500 gallons of water storage required	
<input checked="" type="checkbox"/> Automatic Fill, Sight Gauge & Venting System required	
<input checked="" type="checkbox"/> Minimum 4-inch plumbing: Schedule 40 PVC or Iron Pipe	
<input checked="" type="checkbox"/> System gravity drain required	
<input checked="" type="checkbox"/> Fire connection shall be located on the approach to the structure(s)	
<input checked="" type="checkbox"/> Fire connection must be located not less than 50 feet & no more than 150 feet from the structure	
<input checked="" type="checkbox"/> Fire connection must be located within 8-feet of the driveway & 24 inches above grade	
<input checked="" type="checkbox"/> Fire connection outlet valve must be a 2-1/2" brass National Standard male thread with cap. The outlet must face toward the driveway at a 90° angle.	
<input checked="" type="checkbox"/> If fire connection has less than 20 psi, then the word "DRAFT" will be clearly and permanently marked on the fire connection	
<input checked="" type="checkbox"/> Blue dot reflector must be located near fire connection	
<input type="checkbox"/> A fire hydrant is required that can deliver 1000 gallons per minute for 2 hours.	
<input type="checkbox"/> Provide a letter from the water purveyor that hydrant meets fire flow requirements	

<input type="checkbox"/> Two 2 1/2" outlets and one 4" outlet with National Standard threads	
<input type="checkbox"/> Within 8 feet of the roadway	
<input type="checkbox"/> Place a blue dot reflector on roadway, just off center, on the side of the hydrant	
<input type="checkbox"/> Hydrant must be located within 250 feet of the residence.	
<input checked="" type="checkbox"/> 18- foot access road required	
<input checked="" type="checkbox"/> All weather surface capable of supporting 20 tons	
<input checked="" type="checkbox"/> 10 foot fuel modification required on both sides of road	
<input checked="" type="checkbox"/> Must provide an unobstructed vertical clearance of not less than 13'6"	
<input checked="" type="checkbox"/> Where road exceeds a 12% grade, it must be a nonskid surface	
<input checked="" type="checkbox"/> If road exceeds a 16% grade, it must be certified by an engineer	
<input checked="" type="checkbox"/> Road must be named using the County standard signage	
<input checked="" type="checkbox"/> Driveway must be 10 feet wide	
<input checked="" type="checkbox"/> All weather surface capable of supporting 20 tons	
<input checked="" type="checkbox"/> Where driveway exceeds a 12% grade, it must be a nonskid surface	
<input checked="" type="checkbox"/> If driveway exceeds a 16% grade, it must be certified by an engineer	
<input checked="" type="checkbox"/> 10 foot fuel modification required on both sides of the driveway	
<input checked="" type="checkbox"/> Must provide an unobstructed vertical clearance of not less than 13'6"	
<input checked="" type="checkbox"/> Driveways exceeding 300 feet require a fire engine turnaround within 50 feet of the residence/structure	
<input checked="" type="checkbox"/> Driveways exceeding 800 feet require a turnout(s) at midpoint and no more than 400 feet apart	
<input type="checkbox"/> Bridge is required to support a fire engine load weight of 20 tons	
<input type="checkbox"/> Bridge must have a sign indicating load & vertical clearance limits at entrances	
<input type="checkbox"/> One-lane bridge: minimum 12', turnouts at both ends, one-way signs, clear visibility	
<input checked="" type="checkbox"/> Gate entrance shall be 2 feet wider than width of traffic lane & located 30 feet from roadway	
<input checked="" type="checkbox"/> Center line of lane turning radius must be at least 25 feet	
<input type="checkbox"/> Provide Fire Department approved key access (approved switches may be used)	
<input checked="" type="checkbox"/> 30 feet of fuel modification is required for defensible space	
<input checked="" type="checkbox"/> Remove limbs located within 10 feet of chimney	
<input checked="" type="checkbox"/> A Class B non-combustible roof is required	
<input type="checkbox"/> Fire-resistive (non-combustible) siding is required	
<input type="checkbox"/> Boxed-in eaves are required	
<input checked="" type="checkbox"/> Highly visible permanent address numbers shall be placed at the driveway entrance. (minimum 4" letter/number height, 3/8 inch stroke)	
<input checked="" type="checkbox"/> Highly visible address numbers shall be placed on the residence(s). (minimum 4" letter/number height, 3/8 inch stroke).	
<input type="checkbox"/> Secondary dwelling units require a separate address. Contact Leonard Mansell at SLO County Planning Dept for more information at (805) 781-5199.	
<input type="checkbox"/> Smoke detectors are required in all sleeping areas	
Other Requirements:	
This fire safety plan may be used for building permit	

When all of the fire safety requirements have been completed, please call the Fire Prevention Bureau at (805) 543-4244, extension #2220 to arrange for your final inspection.

Chad Zrelak
Fire Captain



**BOB
GRAHAM
REALTY** Inc.

September 8, 2005

Mr. Burt Baumgartner
1540 Barley Grain Road
Paso Robles, CA 93446

RE: Plans for "Utility Building" on your 5 acre parcel

Dear Mr. Baumgartner,

Thank you for contacting me regarding your plans to construct a two story "Utility Building" on your property. As you are aware I am the local representative from our Architectural Control Committee for Tract # s 680 & 969. Your parcel is Lot # 10 of Tract 969...also known as SLO County Tax Assessor's Parcel # 020-461-031.

Upon meeting with you and reviewing your set of plans, I would hereby approve what you have proposed and wish you success and enjoyment from your use of your new building. What you have designed and planned as an addition will nicely compliment the other quality improvements on your parcel.

Sincerely,

Robert L. Graham

Robert L. Graham
1655 Barley Grain Road
Paso Robles, CA 93446
Tel # (805) 440-1888